

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

TURBOCODE LLC,

Plaintiff,

v.

ASUSTEK COMPUTER INC.,

Defendant.

Civil Action No. 4:21-cv-294-SDJ

JURY TRIAL DEMANDED

NOTICE OF PARTIAL VOLUNTARY DISMISSAL

Plaintiff TurboCode LLC (“TurboCode” or “Plaintiff”) and Defendant Asustek Computer Inc. (“Defendant”) have conferred regarding the scope of Plaintiff’s Complaint (Dkt. 1), and Plaintiff submits the following Notice of Partial Voluntary Dismissal and respectfully states as follows:

Plaintiff hereby files this Notice of Partial Voluntary Dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). According to Rule 41(a)(1)(A)(i), an action may be dismissed by the plaintiff without order of court by filing a notice of dismissal at any time before service by the adverse party of an answer. Defendant has not yet answered the Complaint.

Plaintiff hereby dismisses, without prejudice, Count 1 (Infringement of U.S. Patent No. 6,799,295) of Plaintiff’s Complaint against Defendant pursuant to Rule 41(a)(1)(A)(i). The parties shall bear their own attorney’s fees, expenses, and costs relating to U.S. Patent No. 6,799,295.

Following submission of this Notice of Partial Voluntary Dismissal, Count 2
(Infringement of U.S. Patent No. 6,813,742) of Plaintiff's Complaint remains asserted against
Defendant in this action.

Dated: August 23, 2021

Respectfully submitted,

By: /s/ Andrew Sherman
Andrew Sherman
ashereman@devlinlawfirm.com
Timothy Devlin
tdevlin@devlinlawfirm.com
Alex Chan
State Bar No. 24108051
achan@devlinlawfirm.com
DEVLIN LAW FIRM LLC
1526 Gilpin Avenue
Wilmington, Delaware 19806
Telephone: (302) 449-9010
Facsimile: (302) 353-4251

*Attorneys for Plaintiff,
TurboCode LLC*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on all counsel of record via the Court's ECF system.

/s/ Andrew Sherman

Andrew Sherman